

### **REMARKS**

The Applicants and the undersigned thank Examiner Langdon for a careful review of the present application. Consideration of this application is respectfully requested in view of the following remarks, which are responsive to the Official Action mailed April 19, 2006.

Upon entry of this Amendment, Claims 1, 4-6, 8-10, 13, 16, 17, 19-24, and 26-33 remain pending in the present application. Claims 2, 3, 7, 11, 12, 14, 15, 18, and 25 have been canceled. The Examiner has rejected Claims 1, 4-13, 16, 17, and 19-33. The Applicants have amended Claims 1, 4-6, 8-10, 13, 16, 17, 19-24, 26-28, 30, and 33 without adding new matter. The independent claims are Claims 1, 13, 22, 23, 24, and 30.

The Examiner rejected Claims 1, 4-6, 13, 16, 17, 22, and 23 under 35 U.S.C. § 102(b) based on an assertion that U.S. Patent Number 6,276,623 to Williams (hereinafter "*Williams*") anticipates each of those claim. The Examiner further rejected Claims 1, 4-13, 16, 17, and 19-33 under 35 U.S.C. § 103(a) alleging that *Williams* in view of U.S. Patent Number 5,031,982 to Redford (hereinafter "*Redford*") renders those claims obvious. The Applicants offer the following remarks to traverse the pending rejections.

**I. Independent Claims 1 and 13 and dependent Claims 4-6, 8-10, 16, 17, and 19-21 are patentable over the cited art**

**Independent Claims 1 and 13**

Amended Claim 1 is an independent claim defining a payout tube for a storage container. As amended, Claim 1 requires the payout tube to comprise, among other things, an elongated conduit that comprises a pattern of holes longitudinally disposed along the elongated conduit, each hole passing through a sidewall of the elongated conduit, wherein the pattern of holes is operative to provide the elongated conduit with flexibility.

Meanwhile, independent Claim 13, as amended, defines a device for supporting a communications cable during removal from a storage container. Amended Claim 13 requires the device to comprise: (1) a tubular member comprising (a) a rigid section extending through a port in a wall of the storage container and (b) a flexible tube, attached to the rigid section and disposed in an interior of the storage container; and (2) a retainer, at the rigid section, for attaching the tubular member to the wall. Amended Claim 13 also requires that the flexible tube

comprises a sidewall circumferentially disposed around a channel and a plurality of holes through the sidewall, each disposed at a respective longitudinal location along the flexible tube.

The Applicants submit that Claims 1 and 13, as amended, are patentable over *Redford* and *Williams* at least because *Redford*, *Williams*, and an alleged combination of *Redford* and *Williams* fail to disclose, teach, or suggest at least one feature that each of those claims requires. Moreover, amended Claims 1 and 13 each recites a combination of features that the cited references fail to disclose, teach, or suggest.

As discussed above, the invention of amended Claim 1 requires an elongated conduit that comprises a pattern of holes longitudinally disposed along the elongated conduit, each hole passing through a sidewall of the elongated conduit. And, the invention of Claim 13, as amended, requires that the flexible tube comprises a sidewall circumferentially disposed around a channel and a plurality of holes through the sidewall, each disposed at a respective longitudinal location along the flexible tube. Neither *Redford*, nor *Williams*, nor a theoretical combination of *Redford* and *Williams* discloses a pattern of holes longitudinally disposed along an elongated conduit or a plurality of holes through a sidewall of a flexible tube in accordance with the respective recitations of Claims 1 and 13, as amended.

In contrast to the holes that amended Claims 1 and 13 require, *Redford* discloses a spring of helically wound (spiral) filament material. See *Redford*, column 1, lines 52-55 and Figure 8. The Applicants submit that any spacing between the spiral windings of the spring disclosed by *Redford* contrast with the holes as required by amended Claims 1 and 13.

The disclosure of *Williams* also contrasts with the respective hole recitations of amended Claims 1 and 13. For example, *Williams* discloses a tube that has no holes in its sidewalls. See *Williams*, Figures 1 and 2.

In view of the foregoing, the Applicants submit that Claims 1 and 13, as amended, are patentable over *Redford* and *Williams* and respectfully request allowance of Claims 1 and 13.

#### Dependent Claims 4-6, 8-10, 16, 17, and 19-21

Each of dependent Claims 4-6, 8-10, 16, 17, and 19-21 incorporates the recitations of the respective claim or claims from which it depends. In view of the above-described distinctions

between the references cited by the Examiner and independent Claims 1 and 13, as amended, the Applicants respectfully submit that dependent Claims 4-6, 8-10, 16, 17, and 19-21 are patentable over *Redford* and *Williams*. Furthermore, each of those dependent claims recites features and combinations of features further defining the present invention over the cited art. Accordingly, the Applicants request separate and individual consideration of each dependent claim and courteously ask the Examiner to allow those claims.

As an example of the distinctions between the cited art and those dependent claims, the invention of amended Claim 4 requires a hollow member comprising a plurality of tabs for retaining the hollow member in a hole via engaging a wall. Claim 21, as amended, also recites a tab. The Applicants submit that *Redford* and *Williams* do not disclose a plurality of tabs in accordance with the requirements of Claim 4 or Claim 21, as amended.

Amended Claim 4 further requires that the elongated conduit and the hollow member are sections of a unitary molded structure. Meanwhile, the invention of amended Claim 8 requires that the elongated conduit and the hollow member have a common composition of plastic material. In contrast to these requirements, *Redford* discloses spring-like filaments and *Williams* discloses an assembly of distinct component elements. See Redford, column 1, lines 52-55 and *Williams*, Figure 2.

As amended, Claim 5 requires that a cross section of the elongated conduit, taken between two of the holes, comprises an unbroken ring of the sidewall. This requirement contrasts with the disclosure, teaching, and suggestions of *Redford* and *Williams*. The Applicants submit that a cross section taken through Redford's helically wound spring would be broken, specifically resembling an incomplete circle of wire, rather than comprising a unbroken ring as required by amended Claim 5. See Redford, Figure 8. Furthermore and as discussed above, *Williams* discloses tubes that do not have holes passing through the sidewalls in accordance with the recitations of amended Claim 5.

Amended Claim 17 recites a flexible tube comprising: (i) a sidewall circumferentially disposed around a channel; and (ii) a plurality of holes through the sidewall, wherein each hole is disposed at a respective longitudinal location along the flexible tube and each hole is circumscribed by the sidewall. The Applicants submit that any opening between the filament

windings of *Redford* would not be circumscribed by the sidewall as required by Claim 17, as amended.

**II. Independent Claims 22, 24, and 30 and their respective dependent claims are patentable over the cited art**

As amended, independent Claim 22 requires, among other things, an elongated conduit with a flexible portion that comprises a first slot located at a first longitudinal position along the flexible portion of the elongated conduit and a second slot located at a second longitudinal position along the flexible portion of the elongated conduit.

Meanwhile, the invention of amended Claim 24 requires a flexible tube comprising a first slot disposed at a first longitudinal location of the flexible tube and a second slot disposed at a second longitudinal location of the flexible tube.

Further, amended Claim 30 includes a recitation for an elongated conduit with a flexible portion that including a plurality of independent and discrete slots, located at respective discrete locations along the flexible portion.

The Applicants respectfully disagree with the Examiner's allegation that "Redford clearly teaches a plurality of independent and discrete slots" and submit that the disclosure, teachings, and suggestions of *Redford* contrast with the slot recitations of amended Claims 22, 24, and 30. Rather than a plurality of independent and discrete slots, Redford's flexible duct has exactly one slot that is spiral about the flexible duct. That is, *Redford's* single slot begins at one end of the duct, winds continuously around the duct, and ends at the opposite end of the duct. See Redford, Figure 8 and column 1, lines 52-55.

In light of the above discussion between the recitations of amended Claims 22, 24, and 30 and the cited art, the Applicants submit that each of those claims is distinguishable over *Redford*, *Williams*, and a theoretical combination thereof. Accordingly, the Applicants respectfully request that the Examiner withdraw the pending rejections of amended Claims 22, 24, and 30 and all claims dependent thereon. Moreover, the Applicants ask the Examiner to please consider each claim that depends from amended Claims 22, 24, and 30 in view of the amendments thereto.

**III. Independent Claim 23 is patentable over the cited art**

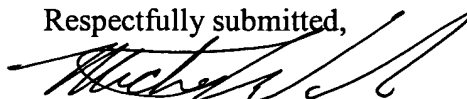
As amended, Claim 23 is an independent claim defining a system for supporting a continuous length of material during removal from a storage container. The invention of amended Claim 23 requires a flexible tube comprising: (1) a first groove fully circumscribing the flexible tube to close upon itself at a first lengthwise location along the flexible tube; and (2) a second groove fully circumscribing the flexible tube to close upon itself at a second lengthwise location along the flexible tube, wherein the first and second grooves are operative to increase flexibility of the flexible tube.

The Applicants respectfully note that neither *Redford* nor *Williams* discloses two grooves at two lengthwise locations that each fully circumscribes a flexible tube to close upon itself as required by amended Claim 23. In contrast to circumscribing the tube to close upon itself, the single groove of Redford spirals around the full length of the disclosed duct without closing upon itself. Accordingly, the Applicants respectfully request allowance of amended Claim 23.

**CONCLUSION**

The foregoing is submitted as a full and complete response to the Official Action mailed April 19, 2006. The Applicants thank Examiner Langdon for consideration of the amendments and remarks presented by this paper. The Applicants have shown that the pending claims are allowable and allowance of the claims is respectfully requested. It is believed that this response places the application in condition for allowance. Such action is courteously requested. If there are any issues that can be resolved with an Examiner's Amendment or a telephone conference, a telephone call to the undersigned at 404.572.3486 is respectfully requested.

Respectfully submitted,



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